



May 19, 2020

Dear Members of the Washington State Legislature:

The COVID-19 pandemic is having a tremendous impact on all businesses and industries throughout Washington State, including the building industry. While our phased approach to recovering full economic activity in Washington is underway, we will take continued steps to support businesses and employers as they navigate a changing business environment.

In one such step, I issued [Proclamation 20-40](#), which delayed the implementation of all new state building codes from July 2020 to November 2020 to address concerns about the time required for industry and public officials to complete necessary training while adjusting work schedules in accordance with my Stay Home, Stay Healthy order. The delayed implementation provided additional time to allow trainings and other educational programs to be shifted to online formats and I am pleased to hear that associations and local permitting offices have adapted accordingly. Among the many organizations that modified their technical support services, the Washington Association of Building Officials (WABO) has transitioned their in-person trainings to a virtual format. The International Code Council (ICC), which publishes the model codes, as well as the International Association of Plumbing and Mechanical Officials (IAPMO) are also conducting virtual trainings.

Some members of the construction industry are now asking for further delay of the effective dates for specific state building codes. In many cases, these are the same voices making the same arguments we heard through the 2020 legislative session. Unlike most regulatory rules propagated by agencies, the implementation of state building code updates is delayed pending the passage of one legislative session in order to give the legislature an opportunity to review or revise the new code.

This most recent update, the 2018 code, was already delayed an extra year due to changes in the Code Council's processes. During that period, the State Building Code Council led a process that included thorough engagement from a broad range of stakeholders, including contractors, material suppliers, building and fire officials, engineers, architects, and specialty consultants. The code passed 10-1 – a reflection of extensive technical work, professional engagement, and thoughtful compromise.



Still, opponents argue the necessity of a delay, often citing the unavailability of certain products required by the new amendments. This belies a misunderstanding of the nature of the state energy code. No state amendment requires the use of materials not available in the United States. The energy code is not a narrow prescription for an efficient building. Rather, it provides builders a menu of options and mechanisms to ensure that new construction meets an overall energy standard and that builders and engineers enjoy flexibility in choosing how to meet the standard. While some alternative compliance options use materials not yet available here, the purpose of the code is to ensure Washingtonians have access to the most efficient technologies to lower their energy costs and the code sends the market signals that ensure that happens.

Delaying the implementation of the 2018 code – which will already have been delayed by more than 16 months by the time it takes effect in November – does not serve Washingtonians. It postpones energy savings for homeowners, creates uncertainty in the construction supply chain and dis-incentivizes innovation. Delay also undermines progress in achieving the requirements the Legislature set in RCW 19.27A.160, which set goals for energy savings to be achieved by new construction by 2030.

Washington's building code process is inclusive and thorough and has led to some of the strongest codes in the nation. The Code Council makes updates on a triennial cycle, which ensures that Washingtonians have access to the latest cost-saving technologies in their homes and workplaces and industry has clarity on the path to 2030.

Very truly yours,



Jay Inslee
Governor